

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

MICHAEL C. BOYLE

Debtor

Case No. 5-18-04529

Chapter 13

Henry W. Van Eck, C.B.J.

MOTION OF DEBTOR TO INCUR DEBT/OBTAIN FINANCING

AND NOW, comes the Debtor by and through his attorney, Brian E. Manning, Esquire, and files this Motion and in support thereof alleges:

1. The above captioned case was commenced by the filing of a voluntary Petition for Relief under Chapter 13 of the United States Bankruptcy Code on October 25, 2018.

2. At the time the case was filed the Debtor owned a 2017 Toyota Camry, which was secured by a loan in favor of Toyota Financial Services with a monthly payment of \$585.94. Said loan has now been paid off.

3. The Debtor was and remains employed by Kemira Chemicals, Inc., as a salesman. His employment requires a great deal of travel.

4. Kemira Chemicals, Inc., maintains a program which reimburses the Debtor for the costs of operating a vehicle, providing the vehicle is not older than five years old.

5. Debtor requires a reliable vehicle for his employment and presently needs to purchase a vehicle to remain eligible for the aforementioned reimbursement.

6. Debtor has found a dealership and lender willing to sell and finance a vehicle for him, however as a condition of said financing the Debtor is required to seek and obtain court approval for same.

7. The vehicle is a 2022 Hyundai Tuscan SEL, AWD, which will require a monthly payment of \$700.00 per month. The increase in the monthly payment will be offset by his employer's reimbursement program.

8. The terms and conditions of said sale and financing are set forth in greater detail in Exhibit "A", attached hereto, and made a part hereof.

9. Debtor has contacted a variety of dealerships and lenders in an effort to secure a vehicle, but this is the only arrangement he has been able to make.

10. Debtor believes it is in his best interests and the interests of creditors to acquire the vehicle under the terms and conditions set forth in Exhibit "A" so as to insure that Debtor will continue in his employment and be able to continue to make the payments called for under his Chapter 13 Plan.

WHEREFORE, the Debtor respectfully requests that his Motion for Approval of Post-Petition Financing be granted and that he be granted such other and further relief as the Court deems just and appropriate under the circumstances.

Law Offices of Brian E. Manning

/s/ Brian E. Manning

Brian E. Manning, Esquire

800 Johnson Ave.

Dickson City, PA 18519

Tel. 570-483-4949

Fax 866-559-9808

brianemanning@comcast.net

Attorney for the Debtor

Dated: November 29, 2022

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

MICHAEL C. BOYLE

Debtor

Case No. 5-18-04529

Chapter 13

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ORDER GRANTING MOTION TO INCUR DEBT/OBTAIN FINANCING

And now upon consideration of the Motion of the Debtor and good cause having been demonstrated by the Movant to warrant the relief he has requested, it is hereby

ORDERED and DECREED that the motion is GRANTED, and the Post-Petition Financing described in the Debtors' Motion be and hereby is APPROVED.

FACSIMILE TRANSMITTAL SHEET

TO:

Brian E Manning

COMPANY:

The Law Office of Brian E Manning

FROM:

Andy Ooten

DATE:

November 17, 2022

FAX NUMBER:

N/A

TOTAL NO. OF PAGES, INCLUDING COVER:

2

BrianEManning@comcast.net

RE:

Michael Boyle

* URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

I would like to thank you for your assistance and we were able to secure financing for the following customer, **Michael Boyle**. This is the information needed to get trustee approval for a “like and kind” vehicle. If you have any questions feel free to contact me at 614-335-1421 at any time.

LIENHOLDER: CONSUMER PORTFOLIO SERVICES, PO BOX 57071, IRVINE CA, 92619

Financed \$30,823.47

APR 17.55%

Payment \$700 x 72 months \$1500 Down Payment

Attached is the purchase order for a similar vehicle. Feel free to call me with any questions

Andy Ooten | Purchasing Coordinator

Phone: (614) 335.1421

FAX: 614.335.1334

Exhibit "A"

Bobb Says Yes

4639 West Broad St * Columbus OH 43228
 Phone: (614)853-3000 * Fax: (614)853-9438

MOTOR VEHICLE PURCHASE AGREEMENT AND INVOICE

PURCHASER Michael Boyle **DATE** 11/17/2022
CO-PURCHASER _____ **RES. PH.** (570)606-5084
ADDRESS 1778 NEWTON RANSOM Boulevard **BUS. PH.** (800)347-1542
CITY, ST, ZIP CLARKS SUMMIT PA 18411 **COUNTY** Lackawanna **CELL PH.** (570)606-5084
SALESPERSON Andy Ooten 1012 **E-MAIL** mcboyle68@gmail.com

PLEASE ENTER MY ORDER FOR THE FOLLOWING: ☐ New ☒ Used ☐ Certified Used ☐ Demonstrator
 2022 Hyundai Tucson SEL AWD **COLOR** BLUE **MILEAGE** 37,988
STOCK No. K24934 **VIN** 5NMJFCAE4NH008866 **TRUCK GVW** _____

INSURANCE INFORMATION		SELLING PRICE OF VEHICLE		\$30,224.97
COMPANY NAME		ADDITIONAL EQUIPMENT AND/OR CONDITIONS:		
POLICY NO.				N/A
AGENT NAME				N/A
AGENT ADDRESS				N/A
AGENT CITY, ST, ZIP				N/A
AGENT PHONE NO.				N/A
EFFECTIVE DATE: FROM TO				N/A
DEDUCTIBLES: COLLISION COMPREHENSIVE				N/A
LIABILITY INSURANCE COVERAGE FOR BODILY INJURY AND PROPERTY DAMAGE CAUSED TO OTHERS IS NOT INCLUDED		ADMINISTRATIVE DOCUMENT FEE		250.00
		TOTAL		\$30,474.97
TRADE DESCRIPTION/PAYOFF INFORMATION		SALES TAX (RATE 6.0000 %)		1,813.50
#1:		LICENSE/TITLE/REGISTRATION FEES		35.00
VIN # COLOR		EXTENDED SERVICE PLAN		N/A
MILEAGE TAG#				N/A
ACCT # EXP. DATE		1. TOTAL CASH PRICE DELIVERED		\$32,323.47
PAYOFF TO		2. DOWN PAYMENT (Rec.#)		1,500.00
ADDRESS		REBATES (Rec.#)		N/A
CITY, ST, ZIP		3. TRADE ALLOWANCE		N/A
TITLE IN NAME OF		LESS PAYOFF		N/A
P/O AMOUNT N/A GOOD TIL LIENS		(Upon verifying pay-off, buyer agrees to pay any amt. exceeding this figure)		
QUOTED BY PHONE		4. TOTAL DOWN PAYMENT (2+3)		1,500.00
VERIFIED BY DATE		(If negative, enter "0" & disclose on Line 6)		
#2:		5. UNPAID BALANCE OF CASH PRICE		\$30,823.47
VIN # COLOR		6. TO: for Negative Equity		N/A
MILEAGE TAG#		7. CREDIT INSURANCE		N/A
ACCT # EXP. DATE		8. OTHER: GAP COVERAGE		N/A
PAYOFF TO		9. UNPAID BALANCE-AMOUNT FINANCED (5+6+7+8)		\$30,823.47
ADDRESS				
CITY, ST, ZIP				
TITLE IN NAME OF				
P/O AMOUNT N/A GOOD TIL LIENS		** ALL TERMS AND CONDITIONS SUBJECT TO LIENHOLDER APPROVAL **		
QUOTED BY PHONE		LIEN INFORMATION		
VERIFIED BY DATE		LIENHOLDER Consumer Portfolio Services, Inc.		
ADV.SOURCE <input type="checkbox"/> NEWSPAPER <input type="checkbox"/> TV <input type="checkbox"/> RADIO		ADDRESS PO Box 57071		
		CITY, ST, ZIP Irvine, Ca 92619-7071		
		LENDER NO.		

CONTRACTUAL DISCLOSURE STATEMENT: (FOR USED CARS ONLY) THE INFORMATION YOU SEE ON THE WINDOW FORM FOR THIS VEHICLE IS PART OF THIS CONTRACT. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE.

ACCEPTED FOR Bobb Says Yes **BY** _____

11/17/2022

DATE

PURCHASER'S SIGNATURE

CO-PURCHASER'S SIGNATURE